

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

DAVID HILDERBRAND, DAVID KIDERMAN,  
RYAN DETZEL, and MARK MILLER,

Plaintiffs,

- against -

DOWNING INVESTMENT PARTNERS, LP,  
DOWNING PARTNERS, LLC, DOWNING  
HEALTH TECHNOLOGIES, LLC, f/k/a  
DOWNING DIGITAL HEALTHCARE GROUP,  
LLC, SURGICAL SAFETYSOLUTIONS, LLC,  
3SI SYSTEMS, LLC, DAVID W. WAGNER,  
MICHAEL H. SHAUT, RICHARD BUCKINGHAM,  
JEFF RICE, MARC M. LAWRENCE,  
MICHAEL GRUMBINE, BRETT GIFFIN,  
JAY PILA, GREG AUDA,  
PAUL GIROUX, MARCO ZENATI,  
GEORGE ROBBIE, GLENN HAUFLE, and  
BRAD PULVER,

Defendants.

Civil Docket No.: 16-cv-04040

**STIPULATION**

**JURY TRIAL DEMANDED**

**STIPULATION GRANTING  
EXTENSION OF TIME TO ANSWER PLAINTIFFS' COMPLAINT**

WHEREAS Defendant, Paul Giroux, ("Mr. Giroux") must file a response to the Amended Complaint of Plaintiffs, David Hilderbrand, David Kiderman, Ryan Detzel and Mark Miller ("Plaintiffs") by July 25, 2016.

WHEREAS the Plaintiffs and Mr. Giroux, by counsel, have agreed, for good cause, that Mr. Giroux shall have an additional thirty (30) days to file his answer ("Answer") to Plaintiffs' Amended Complaint;

THE PARTIES, BY COUNSEL, HEREBY STIPULATE:

Mr. Giroux shall have an extension of thirty (30) days from July 25, 2016 to file an Answer to Plaintiffs' Amended Complaint. Mr. Giroux must file his Answer to Plaintiffs' Amended Complaint by August 24, 2016.

In entering into this stipulation, Mr. Giroux does not waive any defense to the Amended Complaint.

SO STIPULATED

[SIGNATURE LINES ON THE FOLLOWING PAGE]

Dated: July 13, 2016

FOX ROTHSCHILD LLP

By: 

*Caroline Morgan*, Esq.  
FOX ROTHSCHILD LLP  
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New York, New York 10017  
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*Attorneys for Defendant,*  
*Paul Giroux*

Dated: July 11, 2016

CARMEL, MILAZZO &  
DICHIARA LLP

By: 

Ross D. Carmel, Esq.  
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New York, NY 10016  
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*Attorneys for Plaintiffs David*  
*Kiderman, David Hilderbrand,*  
*Ryan Detzel and Mark Miller*

In light of the extension of time granted to Defendant Giroux to answer or otherwise respond, the premotion conference presently set for July 22, 2016 will be adjourned *sine die*; the Court will instead address Defendants' contemplated motions at the conference set for **August 30, 2016, at 3:00 p.m.**

Dated: July 13, 2016  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE